IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.5832 OF 2006

Sai Pooja Enterprises .... Petitioner
Vs.
The Commissioner,
Malegaon Municipal Corporation,
Malegaon & Ors. .... Respondents

Shri A.Y. Bookwala i/b M/s. KMC Legal Venture for the Petitioner.

Sarvasri Y.S. Jahagirdar i/b S.S. Sabrat for the Respondent No.1.

Shri V.P. Malvankar, AGP, for the Respondent No.2.

Shri M.M. Sathaye for the Respondent No.3.

CORAM: R.M.S. KHANDEPARKAR &
V.M. KANADE, JJ.

DATED: SEPTEMBER 18, 2006

P.C:

The learned Advocate for the petitioner states that though initially the petitioner was interested in taking part in the auction, after inspection of the site, the petitioner has a second thought and, therefore, craves leave to withdraw the present petition as well as the amount deposited in the Court. As far as withdrawal of the petition as well as the money deposited are concerned, there can be no difficulty in allowing the petitioner to withdraw both the things. However, taking into consideration the fact that the

petitioner has taken valuable time of the Court without any justification, the withdrawal shall be subject to cost of Rs.5,000/-, to be credited to the account of the Maharashtra State Legal Services Authority. Consequently, the Registry to refund the amount deposited by the petitioner after deducting a sum of Rs.5,000/-, which should be credited to the account of the Maharashtra State Legal Services Authority. The petition accordingly stands disposed of.

(V.M. Kanade, J.) (R.M.S. Khandeparkar, J.)

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